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and ICE for export control and other federal government agencies such as the Bureau of Economic Analysis, Bureau of Labor Statistics, and Bureau of Transportation Statistics for statistical purposes. Except as provided for in paragraph (e) of this section, information collected pursuant to this Part shall not be disclosed to anyone by any officer, employee, contractor, agent of the federal government or other parties with access to the EEI other than to the USPPI, or the authorized agent of the USPPI or the transporting carrier. Such disclosure shall be limited to that information provided by each party pursuant to this Part.

(b) *Supplying EEI for official purposes.*

(1) The EEI may be supplied to federal agencies for official purposes, defined to include, but not limited to:

(i) Verification and investigation of export shipments, including penalty assessments, for export control and compliance purposes;

(ii) Providing proof of export; and

(iii) Statistical purposes;

(iv) Circumstances to be determined in the national interest pursuant to 13 U.S.C., §301(g) and paragraph (e) of this section.

(2) The EEI may be supplied to the USPPI, or authorized agents of USPPI and carriers for compliance and audit purposes. Such disclosure shall be limited to that information provided to the AES by each party.

(c) *Supplying EEI for nonofficial purposes.* The official report of the EEI submitted to the United States Government shall not be disclosed by the USPPI, or the authorized agent, or representative of the USPPI for “nonofficial purposes,” either in whole or in part, or in any form including but not limited to electronic transmission, paper printout, or certified reproduction. “Nonofficial purposes” are defined to include but not limited to use of the official EEI:

(1) In support of claims by the USPPI or its authorized agent for exemption from Federal or state taxation;

(2) By the U.S. Internal Revenue Service for purposes not related to export control or compliance;

(3) By state and local government agencies, and nongovernmental entities or individuals for any purpose; and

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(4) By foreign governments for any purposes.

(d) *Copying of information to manifests.* Because the ocean manifest can be made public under provision of CBP regulations, no information from the EEI, except the ITN, filing citation, exemptions or exclusion legends, shall be copied to the outward manifest of ocean carriers.

(e) *Determination by the Secretary of Commerce.* Under 13 U.S.C. 301(g), the EEI is exempt from public disclosure unless the Secretary or delegate determines that such exemption would be contrary to the national interest. The Secretary or his or her delegate may make such information available, if he or she determines it is in the national interest, taking such safeguards and precautions to limit dissemination as deemed appropriate under the circumstances. In recommendations or decisions regarding such actions, it shall be presumed to be contrary to the national interest to provide EEI for purposes set forth in paragraph (c) of this section. In determining whether, under a particular set of circumstances, it is contrary to the national interest to apply the exemption, the maintenance of confidentiality and national security shall be considered as important elements of national interest. The unauthorized disclosure of confidential EEI granted under National Interest Determination renders such persons subject to the civil penalties provided for in Subpart H of this part.

(f) *Penalties.* Disclosure of confidential EEI by any officer, employee, contractor, or agent of the federal government, except as provided for in paragraphs (a) and (e) of this section renders such persons subject to the civil penalties provided for in Subpart H of this part.

§ 30.61 Statistical classification schedules.

The following statistical classification schedules are referenced in this part. These schedules, may be accessed through the Census Bureau’s Web site at <http://www.census.gov/trade>.

(a) *Schedule B—Statistical Classification for Domestic and Foreign Commodities Exported from the United States,*

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shows the detailed commodity classification requirements and 10-digit statistical reporting numbers to be used in preparing EEI, as required by these regulations.

(b) *Harmonized Tariff Schedules of the United States Annotated for Statistical Reporting*, shows the 10-digit statistical reporting number to be used in preparing import entries and withdrawal forms.

(c) *Schedule C*—Classification of Country and Territory Designations for U.S. Foreign Trade Statistics.

(d) *Schedule D*—Classification of CBP Districts and Ports.

(e) *Schedule K*—Classification of Foreign Ports by Geographic Trade Area and Country.

(f) *International Air Transport Association (IATA)*—Code of the carrier for air shipments. These are the air carrier codes to be used in reporting EEI, as required by the regulations in this part.

(g) *Standard Carrier Alpha Code (SCAC)*—Classification of the carrier for vessel, rail and truck shipments, showing the carrier codes necessary to prepare EEI, as required by the regulations in this part.

§ 30.62 Emergency exceptions.

The Census Bureau and CBP may jointly authorize the postponement of or exception to the requirements of the regulations in this Part as warranted by the circumstances in individual cases of emergency where strict enforcement of the regulations would create a hardship. In cases where export control requirements also are involved, the concurrence of the regulatory agency and CBP also will be obtained.

§ 30.63 Office of Management and Budget control numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose*. This subpart will comply with the requirements of the Paperwork Reduction Act (PRA), 44 U.S.C. 3507(f), which requires that agencies display a current control number assigned by the Director of OMB for each agency information collection requirement.

(b) *Display*.

15 CFR section where identified and described	Current OMB control No.
§§ 30.1 through 30.99	0607–0152

§§ 30.64–30.69 [Reserved]

Subpart H—Penalties

§ 30.70 Violation of the Clean Diamond Trade Act.

Public Law 108–19, the Clean Diamond Trade Act (the Act), section 8(c), authorizes CBP and ICE, as appropriate, to enforce the laws and regulations governing exports of rough diamonds, including those with respect to the validation of the Kimberley Process Certificate by the exporting authority. The Treasury Department's OFAC also has enforcement authority pursuant to section 5(a) of the Act, Executive Order 13312, and Rough Diamonds Control Regulations (31 CFR 592). CBP, ICE, and the OFAC, pursuant to section 5(a) of the Act, are further authorized to enforce provisions of section 8(a) of the Act, that provide for the following civil and criminal penalties:

(a) *Civil penalties*. A civil penalty not to exceed \$10,000 may be imposed on any person who violates, or attempts to violate, any order or regulation issued under the Act.

(b) *Criminal penalties*. For the willful violation or attempted violation of any license, order, or regulation issued under the Act, a fine not to exceed \$50,000, shall be imposed upon conviction or:

(1) If a natural person, imprisoned for not more than ten years, or both;

(2) If an officer, director, or agent of any corporation, who willfully participates in such violation, imprisoned for not more than ten years, or both.

§ 30.71 False or fraudulent reporting on or misuse of the Automated Export System.

(a) *Criminal penalties*—(1) *Failure to file; submission of false or misleading information*. Any person, including USPPIs, authorized agents or carriers, who knowingly fails to file or knowingly submits, directly or indirectly, to the U.S. Government, false or misleading export information through the AES, shall be subject to a fine not to exceed \$10,000 or imprisonment for not